

OCT 18 2006

Atty. Dkt. No. 048772-2300
(formerly 0001.US00)

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the reasons that follow.

Claims 1-114 are remain pending in this application.

Claims 1-13, 15, 18-25, 27-34, 37-88, 90-107 and 109-114 were rejected under 35 U.S.C. § 103(a) as allegedly being disclosed by the article by David King (hereinafter "King") in view of U.S. Patent Application Publication 2002/0002586 A1 to Rafal et al. (hereinafter "Rafal"). Claims 14 and 26 were rejected under 35 U.S.C. § 103(a) as allegedly being disclosed by King in view of Rafal and further in view of U.S. Patent Application Publication 2002/0087344 A1 to Billings. Claims 16, 17, 35 and 36 were rejected under 35 U.S.C. § 103(a) as allegedly being disclosed by King in view of Rafal and further in view of U.S. Patent Application Publication 2001/0049616 A1 to Khuzadi. Applicant respectfully traverses these rejections for at least the following reasons.

The present invention relates to systems and methods for on-line, interactive fundraising. One method, for example, includes hosting an organization's website, displaying one or more virtual plaque web pages honoring donors, providing one or more donation and payment option web pages (selectable by a donor), and modifying or updating the virtual plaque(s) when a donation is made. A method of another embodiment includes, for example, providing a website for a cause, an event, or an organization engaged in fundraising, enabling contributions to be made in support of a cause, event or organization by a donor via the website, and displaying one or more virtual plaques on the website that identify one or more donors, wherein the donor is able to specify the content of the virtual plaque.

The Office Action cites King as disclosing a virtual plaque. Applicant has previously submitted an affidavit from inventors Dr. Harry Gruber and Dr. Allen Gruber, along with documentation exhibiting conception of the invention prior to the August 10, 2000, date of King. Accordingly, all rejections relying on King as a prior art reference should be withdrawn.

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However, the Examiner argues that King's "dating of the use of virtual plaques ... has been clarified and strengthened by the IDS documents filed by Applicant on January 14, 2006" Office Action dated April 18, 2006, page 15, lines 4-6. The Examiner further argues that the IDS documents "make moot Applicant's affidavit" Office Action dated April 18, 2006, page 15, lines 27-28.

First, Applicant notes that, in light of the affidavit filed by Applicant, the Examiner's reliance on King is improper. The affidavit effectively "establish[ed] invention of the subject matter of the rejected claim[s] prior to the effective date of the reference" See 37 C.F.R. § 1.131. Nothing about the IDS documents changes the "effective date" of King, which remains August 10, 2000. King remains predated by the present invention. Applicant is unaware of any authority which cures this deficiency of King.

Second, the Examiner's indirect reliance on the IDS documents fails to render the claims unpatentable. Even inclusion of the IDS documents fails to establish a *prima facie* case of obviousness. For example, nowhere does any reference teach or suggest a system in which "the donor is able to specify the content of the virtual plaque," as recited in independent claim 95. Each of the other independent claims includes at least one feature not recited in any prior art reference.

Since the Examiner has failed to establish a *prima facie* case of obviousness, the claims are patentable.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to

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Deposit Account No. 50-1674. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-1674. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-1674.

Respectfully submitted,

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